

**J.**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	
	:	CRIMINAL NO. 19-64
JOHN DOUGHERTY	:	
ROBERT HENON	:	
BRIAN BURROWS	:	
MICHAEL NEILL	:	
MARITA CRAWFORD	:	
NIKO RODRIGUEZ	:	
BRIAN FIOCCA	:	
ANTHONY MASSA	:	

**MOTION SEEKING A CONTINUANCE OF THE TRIAL DATE**

COMES NOW, Thomas A. Bergstrom on behalf of Brian Burrows and moves this Honorable Court for a continuance of the currently scheduled trial date and in support thereof avers the following:

1. Trial of the above case is schedule for October 26, 2020.<sup>1</sup>
2. Counsel's office has been closed and without access since March 16, 2020. The office recently opened on July 6, 2020 with limited access, with certain lawyers permitted on Monday and Tuesday and another group on Wednesday – Friday. Office staff is very limited and special permission is needed to bring clients and others into the office. The office working conditions are less than ideal.
3. According to the government, trial of the case would consume 4 to 6 weeks, suffice it to say that given the circumstances, counsel has been unable to prepare for a trial of that length.

---

<sup>1</sup> Exactly which trial will proceed on October 26, 2020 is dependent on the resolution of pending pre-trial motions.

4. Practically speaking given the current circumstances, it seems highly doubtful that a jury of 12, with perhaps 4 alternatives, could be selected and empaneled, infringing on defendants' rights to a fair and impartial jury, free of any Covid 19 fears.

5. It is far more likely that a viable trial of this case could occur in the Spring of 2021, perhaps March or April

WHEREFORE, counsel requests an appropriate Order.

By: /s/ Thomas A. Bergstrom  
THOMAS A. BERGSTROM  
Thomas A. Bergstrom  
Buchanan Ingersoll & Rooney PC  
Two Liberty Place  
50 S. 16<sup>th</sup> Street, Suite 3200  
Philadelphia, PA 19102  
(215) 665-3955  
thomas.bergstrom@bipc.com

Attorney for Defendant  
Brian Burrows

Dated: July 24, 2020

**CERTIFICATE OF SERVICE**

I, Thomas A. Bergstrom, hereby certify that on July 24, 2020, that a true and correct copy of the foregoing Motion has been filed with the Court and served electronically upon All Counsel of Record.

/s/ Thomas A. Bergstrom  
THOMAS A. BERGSTROM